FARAD CONTINUATION SHEET NO.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1209 OF 2006
IN
EXECUTION APPLICATION NO.241 OF 2006
IN
SUMMARY SUIT NO.3809 OF 2002

Office Notes, Office Memoranda of Coram appearance, Court's or Judge's orders Court's orders or directions and Prothonotary's orders

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Mr.P.A.Sarwankar i/by G.S.Bhal for the applicant.

Mr.N.D.Jaywant for plaintiff.

Coram : R.S.Mohite,J

Date : 6.11.2006.

PC

1. Heard Advocate for the applicant. It is contended that she purchased the flat which has been attached prior to her marriage. No marriage certificate is annexed. The bank statement indicates that on the day that she is said to have made the payment of the consideration of the flat, she has received an amount of Rs.10 lakhs by bank draft. Application does not disclose as to from where she received the amount. There is reason to doubt that the application is genuine

particularly as husband of the applicant chooses to remain absent and has not filed any affidavit in support of the Chamber summons. Advocate for the applicant states that he would like to withdraw the Chamber summons with liberty to file proper explanation in a fresh Chamber summons. Chamber summons is therefore, dismissed as withdrawn with liberty as aforesaid.

(R.S.Mohite,J)